

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Terry

Plaintiff

ORDER OF DISMISSAL

-v-

CV-04-5061(TCP)

Town of Brookhaven.

Defendants.

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On October 12, 2005, Mag. Judge William Wall issued an order stating,

“Counsel for plaintiff shall inform the court in writing, within ten days of the date of this order, of the present status of this case. Copies of the written report must be served on defendant(s). Oral communication with chambers will not satisfy this request.

Failure to respond to this order within ten days will result in a Report and Recommendation to the District Court Judge that the case be dismissed for failure to prosecute.”

There having been no response to Mag. Judge Wall’s order and no action in this case since December 8, 2004, the case is closed.

IT IS HEREBY ORDERED that the above entitled matter be dismissed.

IT IS FURTHER ORDERED the Clerk of the Court is directed to mark the case closed.

/s/

Thomas C. Platt
U.S. District Judge

Dated: Central Islip, NY
January 5, 2006